

Barcia	Hall (OH)	Nadler
Barrett (WI)	Hall (TX)	Neal
Becerra	Hamilton	Oberstar
Bentsen	Harman	Obey
Berman	Hastings (FL)	Olver
Berry	Hefner	Ortiz
Bishop	Hilliard	Owens
Blagojevich	Hinchey	Pallone
Blumenauer	Hinojosa	Pascarell
Bonior	Holden	Pastor
Borski	Hooley	Payne
Boswell	Hoyer	Pelosi
Boucher	Jackson (IL)	Peterson (MN)
Boyd	Jackson-Lee	Pickett
Brown (CA)	(TX)	Pomeroy
Brown (FL)	Jefferson	Poshard
Brown (OH)	John	Price (NC)
Capps	Johnson (WI)	Rahall
Cardin	Johnson, E. B.	Rangel
Carson	Kanjorski	Reyes
Clay	Kaptur	Rivers
Clayton	Kennedy (MA)	Rodriguez
Clement	Kennedy (RI)	Roemer
Clyburn	Kennelly	Rothman
Condit	Kildee	Roybal-Allard
Conyers	Kilpatrick	Rush
Costello	Kind (WI)	Sabo
Coyne	Klecza	Sanders
Cramer	Klink	Sandlin
Cummings	Kucinich	Sawyer
Danner	LaFalce	Scott
Davis (FL)	Lampson	Serrano
Davis (IL)	Lantos	Sherman
DeFazio	Levin	Sisisky
DeGette	Lewis (GA)	Skaggs
Delahunt	Lipinski	Skelton
DeLauro	Lofgren	Slaughter
Dellums	Lowe	Smith, Adam
Deutsch	Luther	Snyder
Dicks	Maloney (CT)	Spratt
Dingell	Maloney (NY)	Stabenow
Dixon	Manton	Stark
Doggett	Markey	Stenholm
Dooley	Martinez	Stokes
Doyle	Mascara	Strickland
Edwards	Matsui	Stupak
Engel	McCarthy (MO)	Tanner
Eshoo	McCarthy (NY)	Tauscher
Etheridge	McDermott	Taylor (MS)
Evans	McGovern	Thompson
Farr	McHale	Thurman
Fattah	McIntyre	Tierney
Fazio	McKinney	Torres
Filner	McNulty	Towns
Flake	Meehan	Turner
Foglietta	Meek	Velazquez
Ford	Menendez	Vento
Frank (MA)	Millender	Visclosky
Frost	McDonald	Waters
Furse	Miller (CA)	Watt (NC)
Gedensson	Minge	Waxman
Gephardt	Mink	Wexler
Goode	Moakley	Weygand
Gordon	Mollohan	Wise
Green	Moran (VA)	Woolsey
Gutierrez	Murtha	Wynn

ANSWERED "PRESENT"—1

Sanchez

NOT VOTING—10

Gonzalez	Schiff	Young (AK)
Houghton	Schumer	Young (FL)
McDade	Smith (OR)	
Oxley	Yates	

So the resolution, as amended, was agreed to.

A motion to reconsider the vote whereby said resolution, as amended, was agreed to was, by unanimous consent, laid on the table.

¶110.38 SUBPOENA ENFORCEMENT IN THE CASE OF DORNAN V. SANCHEZ

Mr. THOMAS, pursuant to House Resolution 253, called up the following resolution (H. Res. 244):

Whereas the contested election case of Dornan v. Sanchez is pending before the Committee;

Whereas the Federal Contested Elections Act (2 U.S.C. 381 et seq.) (hereafter in this resolution referred to as the "Act") provides for the issuance of subpoenas, and on March 17, 1997, United States District Court Judge Gary L. Taylor issued such a subpoena at the

request of the Contestant for the deposition and records of Hermandad Mexicana Nacional;

Whereas on April 16 1997, the Committee voted to modify the subpoena by limiting production of documents to the 46th Congressional District (among other modifications), and as perfected by the Committee, the subpoena required Hermandad Mexicana Nacional to produce documents and appear for a deposition no later than May 1, 1997;

Whereas Hermandad Mexicana Nacional failed to produce documents or appear for the deposition by May 1, 1997, and still has not complied with the subpoena;

Whereas Hermandad Mexicana Nacional, by willfully failing to comply with the lawfully issued subpoena, is in violation of section 11 of the Act (2 U.S.C. 390), which provides for criminal penalties;

Whereas on May 13, 1997, the Contestant wrote to the United States Attorney for the Central District of California, Nora M. Manella, requesting that action be taken to enforce the law with respect to Hermandad Mexicana Nacional, and on June 23, 1997, the Committee wrote to the Department of Justice inquiring as to the status of this request for criminal prosecution, and the Department responded on July 25, 1997, that the criminal referral remain "under review";

Whereas the United States Attorney's failure to enforce criminal penalties for the violation of the Act encourages disrespect for the law and hinders the Constitutionally mandated process of determining the facts in the contested election case, including the discovery of any election fraud that may have influenced the outcome of the election; and

Whereas on September 23, 1997, the United States District Court for the Central District of California ruled that the deposition subpoena provisions of the Act are constitutional: Now, therefore, be it

Resolved, That the House of Representatives demands that the Office of the United States Attorney for the Central District of California carry out its responsibility by filing, pursuant to its determination that it is appropriate according to the law and the facts, criminal charges against Hermandad Mexicana Nacional for failure to comply with a valid subpoena issued under the Act.

When said resolution was considered.

After debate,

Pursuant to House Resolution 253, the previous question was ordered on the resolution, as amended, and the preamble to its adoption or rejection.

The question being put, viva voce,

Will the House agree to said resolution, as amended?

The SPEAKER pro tempore, Mr. GILLMOR, announced that the nays had it.

Mr. THOMAS demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

**WEDNESDAY, OCTOBER 1
(LEGISLATIVE DAY OF SEPTEMBER 30), 1997**

The vote was taken by electronic device.

It was decided in the affirmative	Yeas	219
	Nays	203
	Answered present	1

¶110.39

[Roll No. 478]

YEAS—219

Aderholt	Gekas	Nussle
Archer	Gibbons	Packard
Armey	Gilchrest	Pappas
Bachus	Gillmor	Parker
Baker	Gilman	Paul
Ballenger	Gingrich	Paxon
Barr	Goodlatte	Pease
Barrett (NE)	Goodling	Peterson (PA)
Bartlett	Goss	Petri
Barton	Graham	Pickering
Bass	Granger	Pitts
Bateman	Greenwood	Pombo
Bereuter	Gutknecht	Porter
Bilbray	Hastert	Portman
Bilirakis	Hastings (WA)	Pryce (OH)
Bliley	Hayworth	Quinn
Blunt	Hefley	Radanovich
Boehlert	Herger	Ramstad
Boehner	Hill	Redmond
Bonilla	Hilleary	Regula
Bono	Hobson	Riggs
Brady	Hoekstra	Riley
Bryant	Horn	Rogan
Bunning	Hostettler	Rogers
Burr	Hulshof	Rohrabacher
Burton	Hunter	Ros-Lehtinen
Buyer	Hutchinson	Royce
Callahan	Hyde	Ryun
Calvert	Inglis	Salmon
Camp	Istook	Sanford
Campbell	Jenkins	Saxton
Canady	Johnson (CT)	Scarborough
Cannon	Johnson, Sam	Schaefer, Dan
Castle	Jones	Schaffer, Bob
Chabot	Kasich	Sensenbrenner
Chambliss	Kelly	Sessions
Chenoweth	Kim	Shadegg
Christensen	King (NY)	Shaw
Coble	Kingston	Shays
Coburn	Klug	Shimkus
Collins	Knollenberg	Shuster
Combest	Kolbe	Skeen
Cook	LaHood	Smith (MI)
Cooksey	Largent	Smith (NJ)
Cox	Latham	Smith (TX)
Crane	LaTourette	Smith, Linda
Crapo	Lazio	Snowbarger
Cubin	Leach	Solomon
Cunningham	Lewis (CA)	Souder
Davis (VA)	Lewis (KY)	Spence
Deal	Linder	Stearns
DeLay	Livingston	Stump
Diaz-Balart	LoBiondo	Sununu
Dickey	Lucas	Talent
Doolittle	Manzullo	Tauzin
Dreier	McCollum	Taylor (NC)
Duncan	McCrery	Thomas
Dunn	McDade	Thornberry
Ehlers	McHugh	Thune
Ehrlich	McInnis	Tiahrt
Emerson	McIntosh	Traficant
English	McKeon	Upton
Ensign	Metcalf	Walsh
Everett	Mica	Wamp
Ewing	Miller (FL)	Watkins
Fawell	Moran (KS)	Watts (OK)
Foley	Morella	Weldon (FL)
Fowler	Myrick	Weldon (PA)
Fox	Nethercutt	Weller
Franks (NJ)	Neumann	White
Frelinghuysen	Ney	Whitfield
Galleghy	Northup	Wicker
Ganske	Norwood	Wolf

NAYS—203

Abercrombie	Borski	Costello
Ackerman	Boswell	Coyne
Allen	Boucher	Cramer
Andrews	Boyd	Cummings
Baessler	Brown (CA)	Danner
Baldacci	Brown (FL)	Davis (FL)
Barcia	Brown (OH)	Davis (IL)
Barrett (WI)	Capps	DeFazio
Becerra	Cardin	DeGette
Bentsen	Carson	Delahunt
Berman	Clay	DeLauro
Berry	Clayton	Dellums
Bishop	Clement	Deutsch
Blagojevich	Clyburn	Dicks
Blumenauer	Condit	Dingell
Bonior	Conyers	Dixon

Doggett	Klink	Poshard
Dooley	Kucinich	Price (NC)
Doyle	LaFalce	Rahall
Edwards	Lampson	Rangel
Engel	Lantos	Reyes
Eshoo	Levin	Rivers
Etheridge	Lewis (GA)	Rodriguez
Evans	Lipinski	Roemer
Farr	Lofgren	Rothman
Fattah	Lowey	Roybal-Allard
Fazio	Luther	Rush
Filner	Maloney (CT)	Sabo
Flake	Maloney (NY)	Sanders
Foglietta	Manton	Sandlin
Forbes	Markey	Sawyer
Ford	Martinez	Scott
Frank (MA)	Mascara	Serrano
Frost	Matsui	Sherman
Furse	McCarthy (MO)	Sisisky
Gedjenson	McCarthy (NY)	Skaggs
Gephardt	McDermott	Skelton
Goode	McGovern	Slaughter
Gordon	McHale	Smith, Adam
Green	McIntyre	Snyder
Gutierrez	McKinney	Spratt
Hall (OH)	McNulty	Stabenow
Hall (TX)	Meehan	Stark
Hamilton	Meek	Stenholm
Harman	Menendez	Stokes
Hastings (FL)	Millender	Strickland
Hefner	McDonald	Stupak
Hilliard	Miller (CA)	Tanner
Hinche	Minge	Tauscher
Hinojosa	Mink	Taylor (MS)
Holden	Moakley	Thompson
Hooley	Mollohan	Thurman
Hoyer	Moran (VA)	Tierney
Jackson (IL)	Murtha	Torres
Jackson-Lee	Nadler	Towns
(TX)	Neal	Turner
Jefferson	Oberstar	Velazquez
John	Obey	Vento
Johnson (WI)	Olver	Visclosky
Johnson, E. B.	Ortiz	Waters
Kanjorski	Owens	Watt (NC)
Kaptur	Pallone	Waxman
Kennedy (MA)	Pascarell	Wexler
Kennedy (RI)	Pastor	Weygand
Kennelly	Payne	Wise
Kildee	Pelosi	Woolsey
Kilpatrick	Peterson (MN)	Wynn
Kind (WI)	Pickett	
Klecza	Pomeroy	

ANSWERED "PRESENT"—1

Sanchez

NOT VOTING—11

Gonzalez	Roukema	Yates
Hansen	Schiff	Young (AK)
Houghton	Schumer	Young (FL)
Oxley	Smith (OR)	

So the resolution, as amended, was agreed to.

A motion to reconsider the vote whereby said resolution, as amended, was agreed to was, by unanimous consent, laid on the table.

¶110.40 MOTION TO INSTRUCT
CONFEREES—H.R. 1757

Mr. DOGGETT submitted the privileged motion to instruct the managers on the part of the House at the conference with the Senate on the disagreeing votes of the two Houses on the bill (H.R. 1757) to consolidate international affairs agencies, to authorize appropriations for the Department of State and related agencies for fiscal years 1998 and 1999, and for other purposes, to reject section 1601 of the Senate amendment, which provides for payment of all private claims against the Iraqi Government before those of U.S. veterans and the U.S. Government (i.e., U.S. taxpayers).

When, pending consideration of said motion,

¶110.41 SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 459. An Act to amend the Native American Programs Act of 1974 to extend certain authorizations, and for other purposes; to the Committee on Resources.

¶110.42 ENROLLED BILL AND JOINT
RESOLUTION SIGNED

Mr. THOMAS, from the Committee on House Oversight, reported that that committee had examined and found truly enrolled a bill and a joint resolution of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 2203. An Act making appropriations for energy and water development for the fiscal year ending September 30, 1998, and for other purposes.

H.J. Res. 94. Joint resolution making continuing appropriations for the fiscal year 1998, and for other purposes.

¶110.43 SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 1211. An Act to provide permanent authority for the administration of au pair programs.

¶110.44 BILL AND JOINT RESOLUTION
PRESENTED TO THE PRESIDENT

Mr. THOMAS, from the Committee on House Oversight, reported that that committee did on this day present to the President, for his approval, a bill and a joint resolution of the House of the following titles:

H.R. 1420. An Act to amend the National Wildlife Refuge System Administration Act of 1966 to improve the management of the National Wildlife Refuge System, and for other purposes.

H.J. Res. 94. Joint resolution making continuing appropriations for the fiscal year 1998, and for other purposes.

¶110.45 MOTION TO ADJOURN

Mr. SCARBOROUGH moved that the House do now adjourn.

The question being put, viva voce,
Will the House now adjourn?

The SPEAKER announced that the yeas had it.

Mr. DOGGETT demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the	{ Yeas	206
affirmative	{ Nays	183

¶110.46 [Roll No. 479]
YEAS—206

Aderholt	Bass	Brady
Archer	Bateman	Bryant
Armey	Bereuter	Burr
Bachus	Bilbray	Burton
Baessler	Bilirakis	Buyer
Ballenger	Bliley	Camp
Barr	Blunt	Campbell
Barrett (NE)	Boehlert	Cannon
Barrett	Bonilla	Castle
Barton	Bono	Chabot

Chambliss	Hoekstra	Porter
Chenoweth	Horn	Portman
Christensen	Hostettler	Pryce (OH)
Clyburn	Hulshof	Quinn
Coble	Hunter	Radanovich
Coburn	Hutchinson	Rahall
Collins	Hyde	Ramstad
Combest	Inglis	Redmond
Condit	Istook	Regula
Conyers	Jenkins	Riggs
Cook	Johnson (CT)	Riley
Cooksey	Johnson, Sam	Rogan
Cox	Jones	Rogers
Crapo	Kasich	Rohrabacher
Cubin	Kelly	Ros-Lehtinen
Cunningham	Kim	Royce
Davis (VA)	King (NY)	Ryun
Deal	Kingston	Salmon
DeLay	Klug	Sanford
Diaz-Balart	Knollenberg	Saxton
Dickey	Kolbe	Scarborough
Dixon	LaHood	Schaefer, Dan
Doolittle	Latham	Sensenbrenner
Dreier	LaTourette	Sessions
Duncan	Lazio	Shadegg
Ehlers	Leach	Shaw
Ehrlich	Lewis (CA)	Shays
English	Lewis (KY)	Shimkus
Ensign	Linder	Skeen
Everett	Livingston	Smith (MI)
Ewing	LoBiondo	Smith (NJ)
Fawell	Lucas	Smith (TX)
Flake	Manzullo	Smith, Linda
Foley	McCollum	Snowbarger
Forbes	McCrery	Solomon
Fowler	McHugh	Souder
Fox	McIntosh	Spence
Franks (NJ)	McKeon	Stearns
Frelinghuysen	Metcalfe	Stump
Galleghy	Mica	Sununu
Ganske	Miller (FL)	Talent
Gekas	Moran (KS)	Tauzin
Gibbons	Morella	Taylor (NC)
Gilchrest	Myrick	Thomas
Gillmor	Nethercutt	Thornberry
Goode	Ney	Thune
Goodlatte	Northup	Tiahrt
Goodling	Norwood	Upton
Goss	Nussle	Walsh
Graham	Pappas	Wamp
Granger	Parker	Watkins
Gutknecht	Paxon	Watts (OK)
Hastert	Pease	Weldon (FL)
Hastings (WA)	Peterson (MN)	Weldon (PA)
Hayworth	Peterson (PA)	Weller
Herger	Pickering	White
Hill	Pickett	Wicker
Hilleary	Pitts	Wolf
Hobson	Pombo	

NAYS—183

Abercrombie	Doyle	Kaptur
Ackerman	Edwards	Kennedy (MA)
Allen	Engel	Kennedy (RI)
Andrews	Eshoo	Kennelly
Baldacci	Etheridge	Kildee
Barcia	Evans	Kilpatrick
Barrett (WI)	Farr	Kind (WI)
Becerra	Fattah	Klecza
Bentsen	Fazio	Klink
Berry	Filner	Kucinich
Bishop	Ford	Lampson
Blagojevich	Frank (MA)	Levin
Blumenauer	Frost	Lewis (GA)
Bonior	Furse	Lipinski
Boswell	Gedjenson	Lofgren
Boyd	Gephardt	Lowey
Brown (CA)	Gilman	Luther
Brown (FL)	Gordon	Maloney (CT)
Brown (OH)	Green	Maloney (NY)
Capps	Gutierrez	Mascara
Cardin	Hall (TX)	Matsui
Carson	Hamilton	McCarthy (MO)
Clayton	Harman	McCarthy (NY)
Clement	Hastings (FL)	McDermott
Costello	Hefner	McGovern
Coyne	Hilliard	McHale
Cramer	Hinche	McInnis
Cummings	Hinojosa	McIntyre
Danner	Holden	McKinney
Davis (FL)	Hooley	McNulty
Davis (IL)	Hoyer	Meehan
DeFazio	Jackson (IL)	Meek
DeGette	Jackson-Lee	Menendez
Delahunt	(TX)	Millender
DeLauro	Jefferson	McDonald
Dellums	John	Miller (CA)
Deutsch	Johnson (WI)	Minge
Dingell	Johnson, E. B.	Mink
Doggett	Kanjorski	Mollohan